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PTO/SB/01 (10-00)

Approved for use through 10/31/2002. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**DECLARATION FOR UTILITY OR  
DESIGN  
PATENT APPLICATION  
(37 CFR 1.63)**

Declaration Submitted OR  Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16(e))

Attorney Docket Number	UW Asbury
First Named Inventor	Charles L. Asbury et al.
COMPLETE IF KNOWN	
Application Number	/
Filing Date	May 1, 2001
Group Art Unit	
Examiner Name	

As a below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**DEVICE AND METHODS FOR DETECTING SAMPLES IN A FLOW CYTOMETER INDEPENDENT OF VARIATIONS IN FLUORESCENCE POLARIZATION**

the specification of which *(Title of the Invention)*

is attached hereto

OR

was filed on (MM/DD/YYYY)

as United States Application Number or PCT International

Application Number  and was amended on (MM/DD/YYYY)  (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above:

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application	Foreign Filing Date	Priority	Certified Copy Attached?
		<input type="checkbox"/>	<input type="checkbox"/> YES <input type="checkbox"/> NO
		<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 21 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

**DECLARATION — Utility or Design Patent Application**

Direct all correspondence to:  Customer Number  
or Bar Code Label  OR  Correspondence address below

**Name** Delbert J. Barnard

**Address** Barnard & Pauly, P.S.

**Address** P.O. Box 58888

<b>City</b> Seattle	<b>State</b> WA	<b>ZIP</b> 98138-1888
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<b>Country</b> USA	<b>Telephone</b> 206-246-0568	<b>Fax</b> 206-243-4618
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**NAME OF SOLE OR FIRST INVENTOR :**  A petition has been filed for this unsigned inventor

<b>Given Name</b> (first and middle [if any]) Charles L.	<b>Family Name</b> or Surname Asbury
---	---

<b>Inventor's</b> Signature	Date
--------------------------------	------

<b>Residence:</b> City Seattle	State WA	Country USA	Citizenship
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**Mailing Address** 1107 NE 45th Street Suite 200

**Mailing Address**

City Seattle	State WA	ZIP 98105	Country USA
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**NAME OF SECOND INVENTOR:**  A petition has been filed for this unsigned inventor

<b>Given Name</b> (first and middle [if any]) Jeanne L.	<b>Family Name</b> or Surname Uy
--	-------------------------------------

<b>Inventor's</b> Signature	Date
--------------------------------	------

<b>Residence:</b> City Seattle	State WA	Country USA	Citizenship
--------------------------------	----------	-------------	-------------

**Mailing Address** 1107 NE 45th Suite 200

**Mailing Address**

City Seattle	State WA	ZIP 98105	Country USA
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Additional inventors are being named on 1 supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.

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PTO/SB/02A (11-00)

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## DECLARATION

### ADDITIONAL INVENTOR(S) Supplemental Sheet

Page 1 of 1

<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor		
Given Name (first and middle [if any])		Family Name or Surname		
Gerrit		van den Engh		
Inventor's Signature				Date
Residence: City	Seattle	State WA	Country USA	Citizenship Netherlands
Mailing Address	9756 49th Ave NE			
Mailing Address				
City	Seattle	State WA	ZIP 98195	Country USA
<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor		
Given Name (first and middle [if any])		Family Name or Surname		
Inventor's Signature				Date
Residence: City		State	Country	Citizenship
Mailing Address				
Mailing Address				
City		State	ZIP	Country
<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor		
Given Name (first and middle [if any])		Family Name or Surname		
Inventor's Signature				Date
Residence: City		State	Country	Citizenship
Mailing Address				
Mailing Address				
City		State	ZIP	Country

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PTO/SB/81 (10-00)

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## POWER OF ATTORNEY OR AUTHORIZATION OF AGENT

Application Number	
Filing Date	May 1, 2001
First Named Inventor	Charles L. Asbury et al.
Group Art Unit	
Examiner Name	
Attorney Docket Number	UW - Asbury

I hereby appoint:

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OR

Practitioner(s) named below:

Name	Registration Number
Delbert J. Barnard	20,515
Joan H. Pauly	30,207

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

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<input checked="" type="checkbox"/> Firm or Individual Name	Delbert J. Barnard BARNARD & PAULY, P.S.			
Address	P.O. Box 58888			
Address				
City	Seattle	State	WA	Zip 98138-1888
Country	USA			
Telephone	206-246-0568	Fax	206-243-4618	

I am the:

Applicant/Inventor.

Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

### SIGNATURE of Applicant or Assignee of Record

Name	Charles L. Asbury
Signature	
Date	

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple

\*Total of 3 forms are submitted.

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PTO/SB/81 (10-00)

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### SIGNATURE of Applicant or Assignee of Record

Name	Jeanne L. Uy	
Signature		
Date		

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### SIGNATURE of Applicant or Assignee of Record

Name	Ger van de Engh
Signature	
Date	

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple

\*Total of 3 forms are submitted.